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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,325	03/05/2004	Dhadesugoor R. Vaman		7839

7590 08/25/2005
DHADESUGOOR R. VAMAN
8399 BUCKEYE COURT
FREDERICK, MD 21702

EXAMINER

GREGORY, BERNARR E

ART UNIT	PAPER NUMBER
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3662

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/651,325	Applicant(s) VAMAN ET AL.	
	Examiner Bernarr E. Gregory	Art Unit 3662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claim 1 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 2 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 3 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 4 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 5 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 6 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 7 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 8 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 9 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 10 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 11 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 12 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Independent claim 13 is indefinite and unclear in that it does not seem to fall in any of the accepted categories of statutory claims: method, apparatus, or computer program product.

Claim 1 is unclear due to the use of "i.e." on line 1 of the claim.

Claims 3, 6, and 11 are indefinite and unclear in that they contain parenthetical matter and in that it may not be readily ascertained if or how the parenthetical matter modifies the remaining claim language of each of these claims.

Claim 1 is unclear in that it exceeds one sentence in length. In practice in the United States Patent and Trademark Office, a claim may only consist of a single sentence.

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-13 fail to fall into any of the statutory classes of claims and further appear to attempt to claim descriptive matter per se. Please see the guidelines in MPEP 2106, which make clear that descriptive matter is not statutory subject matter for a patent.

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4. An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

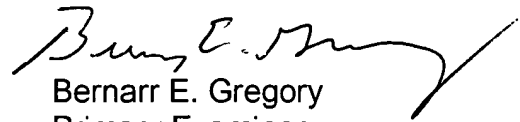
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr E. Gregory whose telephone number is (571) 272-6972. The examiner can normally be reached on weekdays from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza, can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

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for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bernarr E. Gregory
Primary Examiner
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